

110TH CONGRESS
2D SESSION

H. R. 6038

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to direct the President to modernize the integrated public alert and warning system of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2008

Mr. GRAVES (for himself and Ms. NORTON) introduced the following bill;
which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to direct the President to modernize the integrated public alert and warning system of the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Integrated Public Alert
5 and Warning System Modernization Act of 2008”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) numerous technologies exist to enable the
2 Federal Government to vastly enhance its public
3 alert and warning system;

4 (2) the potential benefits of these enhancements
5 include—

6 (A) greater security, survivability, and re-
7 dundancy of the system;

8 (B) an improved ability to notify remote
9 locations;

10 (C) the ability to geographically target and
11 deliver alerts and warnings to multiple devices;
12 and

13 (D) the ability to allow individuals to re-
14 quest specific alerts and warnings;

15 (3) a modern, integrated public alert and warn-
16 ing system will better enable government officials to
17 provide civilian populations with timely and effective
18 warnings of disasters, such as the devastating tor-
19 nados and floods in the Midwest in 2008; and

20 (4) the Federal Government should modernize
21 its alert and warning system to improve its ability
22 to alert the residents of the United States of all po-
23 tential hazards under all conditions.

1 **SEC. 3. INTEGRATED PUBLIC ALERT AND WARNING SYS-**
2 **TEM MODERNIZATION.**

3 (a) IN GENERAL.—Section 202 of the Robert T.
4 Stafford Disaster Relief and Emergency Assistance Act
5 (42 U.S.C. 5132) is amended by adding at the end the
6 following:

7 “(e) INTEGRATED PUBLIC ALERT AND WARNING
8 SYSTEM MODERNIZATION.—

9 “(1) IN GENERAL.—In order to provide timely
10 and effective disaster warnings under this section,
11 the President, acting through the Director of the
12 Federal Emergency Management Agency, shall—

13 “(A) modernize the integrated public alert
14 and warning system of the United States (in
15 this section referred to as the ‘public alert and
16 warning system’) to ensure that the President
17 under all conditions can alert and warn govern-
18 mental authorities and the civilian population in
19 areas endangered by disasters; and

20 “(B) implement the public alert and warn-
21 ing system.

22 “(2) IMPLEMENTATION REQUIREMENTS.—In
23 carrying out paragraph (1), the Director shall—

24 “(A) assign to the National Continuity
25 Programs Directorate, or its successor, respon-
26 sibility for advising the Director on the mod-

1 ernization and implementation of the public
2 alert and warning system;

3 “(B) establish or adopt, as appropriate,
4 common alerting and warning protocols, stand-
5 ards, terminology, and operating procedures for
6 the public alert and warning system;

7 “(C) include in the public alert and warn-
8 ing system the capability to adapt the distribu-
9 tion and content of communications on the
10 basis of geographic location, risks, or personal
11 user preferences, as appropriate;

12 “(D) include in the public alert and warn-
13 ing system the capability to alert and warn in-
14 dividuals with disabilities and individuals with
15 limited English proficiency; and

16 “(E) ensure the conduct of training, tests,
17 and exercises for the public alert and warning
18 system.

19 “(3) SYSTEM REQUIREMENTS.—The public
20 alert and warning system shall—

21 “(A) incorporate multiple communications
22 technologies;

23 “(B) be designed to adapt to, and incor-
24 porate, future technologies for communicating
25 directly with the public;

1 “(C) be designed to provide alerts to the
2 largest portion of the affected population fea-
3 sible and improve the ability of remote areas to
4 receive alerts;

5 “(D) promote local and regional public and
6 private partnerships to enhance community pre-
7 paredness and response; and

8 “(E) provide redundant alert mechanisms
9 where practicable so as to reach the greatest
10 number of people regardless of whether they
11 have access to, or utilize, any specific medium
12 of communication or any particular device.

13 “(4) PILOT PROGRAMS.—

14 “(A) IN GENERAL.—The Director shall
15 conduct pilot programs for the purpose of dem-
16 onstrating the feasibility of using a variety of
17 methods for achieving the system requirements
18 specified in paragraph (3).

19 “(B) REPORT.—Not later than 6 months
20 after the date of enactment of this subsection,
21 and annually thereafter for the duration of the
22 pilot programs, the Director shall submit to the
23 Committee on Transportation and Infrastruc-
24 ture of the House of Representatives and the
25 Committee on Homeland Security and Govern-

1 mental Affairs of the Senate a report con-
2 taining—

3 “(i) a description and assessment of
4 the effectiveness of the pilot programs;

5 “(ii) any recommendations of the Di-
6 rector for additional authority to continue
7 the pilot programs or make any of the pro-
8 grams permanent; and

9 “(iii) any other findings and conclu-
10 sions of the Director with respect to the
11 pilot programs.

12 “(5) IMPLEMENTATION PLAN.—Not later than
13 6 months after the date of enactment of this sub-
14 section, the Director shall submit to the Committee
15 on Transportation and Infrastructure of the House
16 of Representatives and the Committee on Homeland
17 Security and Governmental Affairs of the Senate a
18 detailed plan for implementing this subsection. The
19 plan shall include a timeline for implementation, a
20 spending plan, and recommendations for any addi-
21 tional authority that may be necessary to fully im-
22 plement this subsection.

23 “(6) AUTHORIZATION OF APPROPRIATIONS.—
24 There is authorized to be appropriated to carry out
25 this subsection \$37,000,000 for fiscal year 2009 and

1 such sums as may be necessary for each fiscal year
2 thereafter.”.

3 (b) LIMITATION ON STATUTORY CONSTRUCTION.—

4 Nothing in this Act (including the amendment made by
5 this Act) shall be construed to affect the authority of the
6 Department of Commerce or the Federal Communications
7 Commission.

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